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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,068	11/18/2003	Pang-Lun Yang	U 014869-6	4793
140	7590	06/15/2007	EXAMINER	
LADAS & PARRY 26 WEST 61ST STREET NEW YORK, NY 10023			VARGOT, MATHIEU D	
			ART UNIT	PAPER NUMBER
			1732	
			MAIL DATE	DELIVERY MODE
			06/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/716,068	Applicant(s) YANG, PANG-LUN	
	Examiner Mathieu D. Vargot	Art Unit 1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1 and 3-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1.The finality of the last action has been withdrawn and the prosecution of the case re-opened.

2.Claims 15, 16 and 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

These claims are indefinite in failing to further limit the apparatus in a structural sense. Applicant needs to insert structural limitations into the claims or cancel them.

3.The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-7, 10, 12, 13, 15, 16, 18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Rowland (see Fig. 2, part numerals 40, 42, 44 and 46; Figs. 3-7 and 9; col. 10, line 7; col. 10, lines 30-35; col. 10, lines 40-50; col. 10, line 66 through col. 11, line 25).

Rowland discloses the instant claimed method and apparatus for patterning an optical element (ie, sheet 16) by positioning same on a carrier face of a lower mold 42, with pins 44 acting as the instant holding components for the sheet, and employing an upper mold 46 with protrusions in a pattern to emboss the upper surface of the sheet.

Rowland employs a driving device to press the molds together and emboss the element. The applied reference also employs various heating fluids—water (54d) and oil (54c)—at different stations (54c and 54d) or electric cartridge heaters (54b) to heat

the upper mold (and lower mold) and cooling pipes (54e) to cool the lower mold (and upper mold). Note that acrylic materials are used (col. 9, line 37) and that the molds themselves would contain the necessary heat exchange conduits and heaters—see col. 10, lines 30-39.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 9, 11, 14, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowland.

The applied reference discloses the basic claimed process and device as set forth in paragraph 3, supra, Rowland essentially lacking the aspects of the molds being made of a copper alloy, the pattern being V-grooves and that the optical element is a diffusing sheet. The disclosure of making the molds out of copper (see col. 10, line 7) would render a copper alloy obvious thereover and the instant V-grooves would have been obvious patterns over the retroreflective prisms of Rowland. The exact pattern would have depended on the exact optical effect desired/ sheet produced and hence would surely have been within the skill level of the art.

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

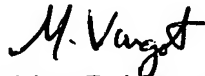
In view of the newly found art to Rowland, prosecution has been re-opened. Needless to say, Rowland is much closer to the instant invention than the previously applied references and applicant's comments directed to them are essentially not in point now.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mathieu D. Vargot whose telephone number is 571 272-1211. The examiner can normally be reached on Mon-Fri from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson, can be reached on 571 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Vargot
January 23, 2007


Mathieu D. Vargot
Primary Examiner
Art Unit 1732

1/23/07